

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

JOE DAVIS MARTIN, JR.
Petitioner,

v.

TONY PARKER, WARDEN
Respondent.

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No. 3:05-0679
Judge Campbell


ORDER

The Court has before it respondent's Answer (Docket Entry No. 13) and the petitioner's Response in Opposition to the Answer (Docket Entry No. 18).

In accordance with the Memorandum contemporaneously entered, the Court finds no merit in the petitioner's request for habeas corpus relief. Accordingly, this action is hereby DISMISSED. Rule 8(a), Rules - - § 2254 Cases.

Should the petitioner file a timely Notice of Appeal, such Notice shall be treated as an Application for a Certificate of Appealability, 28 U.S.C. § 2253(c), which will NOT issue because the petitioner has failed to make a substantial showing of the denial of a constitutional right.

It is so ORDERED.


Todd Campbell
United States District Judge

